

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

TRANSLATION

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing **See Form PCT/ISA/210**
(day/month/year) **(sheet 2)**

Applicant's or agent's file reference
R9457WO

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/FR2004/002962

International filing date (day/month/year)
19.11.2004

Priority date (day/month/year)
23.12.2003

International Patent Classification (IPC) or both national classification and IPC

H03G3/30, H03G3/20, H03F1/30, H03F3/19, H03F1/52, H03F3/189

Applicant
WAVECOM

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	2	YES
	Claims	1, 3-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

Reference is made to the following documents:

D1: EP 1 128 716 A (LUCENT TECHNOLOGIES INC) 29 August 2001 (2001-08-29)

D2: EP 1 028 525 A (DAIMLER CHRYSLER AG) 16 August 2000 (2000-08-16)

1. The Application fails to satisfy the requirements of PCT Article 6, claim 4 not being clear. The term "the said coupling" used in claim 4 is equivocal and leaves some doubt as to the meaning of the technical feature to which it refers (the subject matter of claim 1 does not comprise a coupling). The subject matter of the said claim is therefore not clearly defined (PCT Article 6).

2. Moreover, apart from the lack of clarity mentioned above, the present Application fails to comply with the requirements of PCT Article 33(1), subject matter of claim 1 not involving an inventive step as defined by PCT Article 33(3), for the following reasons.

Document D1, which is regarded as the closest prior art, describes in figure 2 (the references between parentheses apply to this document):

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

Radio frequency (RF) and/or microwave power amplification device, in particular for a radio communication terminal (205), comprising means of shielding (200) of the said device (205) and means of control (300) of a power delivered as output of the said device (205), comprising a power servoloop exhibiting means of reference, means of detection (110), means of comparison and means of power amplification (112); the said means of control also comprise at least one sensor of a radiated energy (210) within the said device (205).

The subject matter of claim 1 differs from the circuit presented by D1 by a power servoloop exhibiting means of reference and means of comparison.

These features have already been employed with the same aim in a similar amplification device, see D2, figure 6, the elements Rex and OP1, and the description, from column 8, line 4, to column 9, line 27. It is obvious to the person skilled in the art to apply these features, with a corresponding effect, in an amplification device according to document D1 and to thus obtain an amplification device according to claim 1. The subject matter of claim 1 therefore does not involve an inventive step (PCT Article 33 (2) and (3)).

3. Dependent claims 3-10 do not appear to contain any additional features which, in combination with the subject matter of any one of the claims on which they depend, meet the requirements of the PCT in respect of inventive step (PCT Article 33 (2) and (3)).

Is this because the combination of the teachings of document D1 (figure 2) and of document D2 (figure 6)

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describe all the additional features of the dependent claims 3-10 (see also the description of D1, from column 4, line 16 to column 5, line 32 and of D2, from column 8, line 4, to column 9, line 28).

The subject matter of dependent claims 3-10 therefore does not involve an inventive step (PCT Article 33 (2) and (3)).

4. The combination of the features of claim 2 is not included within the prior art and does not follow therefrom in an obvious manner. The subject matter of claim 2 is therefore novel (PCT Article 33(2)) and considered to involve an inventive step (PCT Article 33(3)).